

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

RODNEY D. PIERCE and
MOSES MATTHEWS,

Plaintiffs,

v.

THE NORTH CAROLINA STATE BOARD
OF ELECTIONS, *et al.*,

Defendants.

Case No. 4:23-cv-193-D

NOTICE OF FILING RULE 26(E) SUPPLEMENT

Defendants Philip E. Berger and Destin Hall, both in their official capacities (“Legislative Defendants”), notify the Court of the Rule 26(e) Supplement of John R. Alford, Ph.D. to Supplemental Rebuttal Report as follows:

Legislative Defendants move Dr. Alford’s Rule 26(e) Supplement, LD077, for admission to the record as an admitted exhibit. A stamped copy of LD077 is attached hereto as **Attachment A**.

Plaintiffs object to the admission of LD077. Plaintiffs’ objection to LD077 will be briefed together with Plaintiffs’ objection to portions of LD076 as set forth in the parties’ Joint Notice of Filing Supplemental RPV Reports, D.E. 122.

Respectfully submitted, this the 13th day of March, 2025.

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** Appeared via Special Notice
Attorneys for Legislative Defendants*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel and parties registered in said system.

Respectfully submitted this, the 13th day of March, 2025.

/s/ Phillip J. Strach _____
Phillip J. Strach

Attachment A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
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THE NORTH CAROLINA STATE
BOARD OF ELECTIONS, *et al.*,

Defendants.

Case No. 4:23-cv-193-D

**RULE 26(E) SUPPLEMENT OF JOHN R. ALFORD, PH.D.
TO SUPPLEMENTAL REBUTTAL REPORT**

In my March 7, 2025, Supplemental Rebuttal Report in this matter, I cited a New York Times exit poll for the 2024 election.¹ That citation was incorrect, as the exit poll cited was for the 2020 election. The correct citation should have been to the exit poll conducted in North Carolina by Edison Research,² which reported 37% White support for Kamala Harris, and 12% Black voter support for Donald Trump. Other exit polls reported similar results of between 36 and 37% White support for Harris, and between 11 and 12% Black voter support for Trump.³

This incorrect citation in no way alters my analysis or conclusions reached in my Supplemental Rebuttal Report. In fact, the numbers in the correct exit polls actually show lower Black cohesion and higher White crossover voting, and are still closer to my EI results showing 32% White support for Harris and 6% Black voter support for Trump than Dr. Collingwood's

¹ *North Carolina Exit Polls: How Different Groups Voted*, N.Y. Times, <https://www.nytimes.com/interactive/2020/11/03/us/elections/exit-polls-north-carolina.html> (accessed Mar 11, 2025).

² *North Carolina presidential exit polls*, The Washington Post, (Nov. 15, 2024), <https://www.washingtonpost.com/elections/interactive/2024/north-carolina-exit-polls/>.

³ *Election 2024: Exit polls*, CNN, <https://www.cnn.com/election/2024/exit-polls/north-carolina/general/president/0> (accessed Mar. 11, 2025); *2024 Fox News Voter Analysis*, Fox News, <https://www.foxnews.com/elections/2024/general-results/voter-analysis> (accessed Mar. 11, 2025).

estimates. Dr. Collingwood estimated 27% White support for Harris and 1.4% Black voter support for Trump, which is about 10% lower than the numbers reported in the exit polls cited above.

Additionally, there are two references to Table 5 on page 15 of my Supplemental Rebuttal Report that should be references to Table 6.

March 11, 2025.

A handwritten signature in black ink, appearing to read "John R. Alford", written over a horizontal line.

John R. Alford, Ph.D